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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,397	07/27/2001	Richard Glenn Goodwin	70662	1536

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EXAMINER

FOWLKES, ANDRE R

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/917,397

**Applicant(s)**

GOODWIN ET AL.

**Examiner**

Andre R. Fowlkes

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/26/01</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-64 are pending.

#### ***Double Patenting***

2. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

3. A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

4. Claims 21-27 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-7 of prior U.S. Patent No. 6,199,195. This is a double patenting rejection.

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Iyengar et al., (Iyengar), U.S. Patent No. 6,018,627.

As per claim 1, Iyengar discloses **a method for generating source code**, (col. 2:62-63, "the system generates ... code based on the (translated) UML model"), **comprising:**

- **generating a translation file containing translation logic** (col. 1:33-35, "The process may start with the building of business models and progress to representing the business models as object models (i.e. translate the business models using translation logic)"),

- **inputting the translation file into a code generator and generating translation source code as a function of the translation file** (col. 1:33-35, "The process may start with the building of business (i.e. logic) models and progress to representing the business models as object models (i.e. UML)", and col. 2:62-63, "the system generates ... code based on the (translated) UML model").

As per claim 2, the rejection of claim 1 is incorporated and further, Iyengar discloses **generating a plurality of translation files; and inputting the plurality of translation files into the code generator** (col. 1:33-35, "The process may start with the building of business (i.e. logic) models and progress to representing the business

models as object models (i.e. UML)", and col. 2:62-63, "the system generates ... code based on the (translated) UML model").

As per claim 3, the rejection of claim 1 is incorporated and further, Iyengar discloses **generating a logical model using a modeling tool; translating the logical model into a unified model; and inputting the unified model into the code generator** (col. 1:33-35, "The process may start with the building of business (i.e. logical) models and progress to representing the business models as object models (i.e. UML)", and col. 2:62-63, "the system generates ... code based on the UML model").

As per claim 4, the rejection of claim 3 is incorporated and further, Iyengar discloses **generating at least one source code object as a function of the unified model** (col. 2:62-63, "the system generates ... code based on the UML model").

As per claim 5, the rejection of claim 3 is incorporated and further, Iyengar discloses **generating of at least one source code object comprises generating at least one interface definition language element** (col. 2:62-63, "the system generates ... code based on the UML model (including IDL elements)").

As per claim 6, the rejection of claim 3 is incorporated and further, Iyengar discloses **storing the unified model in a schema repository; and storing the**

**translation file in the schema repository** (col. 2:36-37, "once the output data is transformed into a UML model, it is saved in a repository", and col. 9:2-6, "Under another method, data from the modeling tool is exported into a database, and the database is saved into the repository. Data from the database is then imported into a UML model by means of the Transformation Algorithms").

As per claim 7, lyengar also discloses such claimed limitations as addressed in claim 6 above.

As per claim 8, the rejection of claim 1 is incorporated and further, lyengar discloses that **the translation file contains translation logic to translate data from a database into a standard format** (col. 9:2-6, "Under another method, data from the modeling tool is exported into a database, and the database is saved into the repository. Data from the database is then imported into a UML model by means of the Transformation Algorithms").

As per claims 9-12, this is another method version of the claimed method discussed above, in claims 1-4, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see lyengars system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claims 13-20, this is a system version of the claimed method discussed below, in claims 27 and 29, wherein all claimed limitations have also been addressed and/or cited as set forth below. For example, see Iyengars system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claim 21, Iyengar discloses a **method for generating source code objects**, (col. 2:62-63, "the system generates ... code based on the UML model"), **comprising:**

- **generating a logical model using a modeling tool** (col. 1:33-35, "The process may start with the building of business (i.e. logical) models and progress to representing the business models as object models (i.e. unified model)"),

- **translating the logical model into a corresponding unified model** (col. 1:33-35, "The process may start with the building of business (i.e. logical) models and progress to representing the business models as object models (i.e. unified model)"),

- **generating a system definition comprising a template, the template defining at least one service within a framework** (col. 1:33-35, "The process may start with the building of business (i.e. template) models and progress to representing the business models as object models (i.e. unified model)"),

- **generating at least one source code object as a function of the unified model, and the template** (col. 1:33-35, "The process may start with the building of business (i.e. template) models and progress to representing the business models as

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object models (i.e. UML)", and col. 2:62-63, "the system generates ... code based on the UML model").

As per claim 22, the rejection of claim 21 is incorporated and further, Iyengar discloses that **translating of the logical model comprises generating at least one Unified Modeling Language (UML) element** (col. 1:33-35, "The process may start with the building of business (i.e. template) models and progress to representing the business models as object models (i.e. UML)").

As per claim 23, the rejection of claim 21 is incorporated and further, Iyengar discloses that **the generating of the system definition comprises generating in the template at least one JavaScript element** (col. 10:2, "Java").

As per claim 24, the rejection of claim 21 is incorporated and further, Iyengar discloses that **generating of at least one source code object comprises generating at least one interface definition language element** (col. 9:18, "UML (includes IDL elements)").

As per claim 25, the rejection of claim 21 is incorporated and further, Iyengar discloses that **the adaptor defining a translation from the modeling tool** (col. 9:2-6, "Under another method, data from the modeling tool is exported into a database (using



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an adapter), and the database is saved into the repository. Data from the database is then imported into a UML model by means of the Transformation Algorithms”).

As per claim 26, the rejection of claim 21 is incorporated and further, Iyengar discloses that **storing the unified model in a schema repository; wherein said generating of the source code objects comprises retrieving the unified model** (col. 2:36-37, “once the output data is transformed into a UML model, it is saved in a repository”).

As per claim 27, the rejection of claim 21 is incorporated and further, Iyengar discloses **retrieving data from a database by employing the source code objects and the unified model to define a relationship between an object oriented database query and the data** (col. 2:36-37, “once the output data is transformed into a UML model, it is saved in a repository”, and col. 9:2-6, “Under another method, data from the modeling tool is exported into a database, and the database is saved into the repository. Data from the database is then imported into a UML model by means of the Transformation Algorithms”).

As per claim 28, the rejection of claim 21 is incorporated and further, Iyengar discloses **generating a translation file, the translation file containing translation logic; and generating at least one source code object as a function of the translation file** (col. 9:7-12, “The next step of the development flow may be the

creation of object models. Object models may be constructed or modified during the domain modeling 27 process from transformed legacy items or from enterprise models. The system, moreover, allows reverse engineering of object models into enterprise models”).

As per claim 29, the rejection of claim 21 is incorporated and further, Iyengar discloses that **storing the translation file in a schema repository** (col. 9:2-6, “Under another method, data from the modeling tool is exported into a database, and the database is saved into the repository. Data from the database is then imported into a UML model by means of the Transformation Algorithms”).

As per claims 30-35, this is another method version of the claimed method discussed above, in claims 21-24, 27 and 29, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Avengers system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claims 36-43 and 46, this is a system version of the claimed method discussed above, in claims 21-27, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Iyengars system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claim 44, the rejection of claim 36 is incorporated and further, Iyengar discloses **Java RMI** (col. 10:2, "Java (RMI)").

As per claim 45, the rejection of claim 36 is incorporated and further, Iyengar discloses **OMG framework** (13:22, "OMG (framework)").

As per claims 47-51, this is another method version of the claimed method discussed above, in claims 21-24, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Iyengars system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claims 53-58, this is another method version of the claimed method discussed above, in claims 21-27, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Iyengars system for application building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

As per claims 59-64, this is a system version of the claimed method discussed above, in claims 21-27, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Iyengars system for application

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building in an object oriented environment with OMG compliant UML data stored in a repository (col. 2:27-3:8).

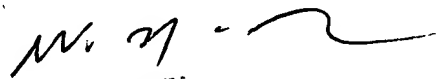
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571) 272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ARF

  
WEI Y. ZHEN  
PRIMARY EXAMINER